

Message Text

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SUBJECT: EC DRAFT REGULATION ON SUSPENSION OF TARIFFS ON
AIRCRAFT AND AIRCRAFT PARTS

REF: A. MEIMA(EUR/RPE) - SPIRO TELECON, NOV.29;

B. EC BRUSSELS 6769 C. EC BRUSSELS 6238

1. SUMMARY: THE PERMREPS WORKING GROUP ON ECONOMIC QUESTIONS HAS NOW AGREED ON TWO DRAFT REGULATIONS EXTENDING THE TARIFF SUSPENSION ON AIRCRAFT AND AIRCRAFT PARTS UNTIL DECEMBER 31, 1974. PREVIOUS VERSIONS OF THE TWO REGULATIONS WERE DESCRIBED IN REFTELS. THIS CABLE EXPLAINS THE CHANGES FROM THE VERSIONS REPORTED IN REFTELS. WE UNDERSTAND THAT THE NEW LANGUAGE LIMITS SOMEWHAT THE TYPES OF AIRCRAFT FOR WHICH PRODUCTS INTENDED FOR MAINTENANCE AND REPAIR CAN BE IMPORTED DUTY FREE. THE FOOTNOTE ON "BUYER-SELECTED EQUIPMENT", AT THE INSISTENCE OF THE FRENCH, IS FORMULATED SO AS TO PLACE THE LOCKHEED TRISTAR IN THE LESS-FAVORED CATEGORY REGARDING RADIO AND NAVIGATION EQUIPMENT. CONTACTS HAVE FURNISHED US THIS INFORMATION VERBALLY. WE DO NOT YET HAVE A TEXT. END SUMMARY.

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2. THE PERMREPS WORKING GROUP ON ECONOMIC QUESTIONS

ON NOVEMBER 28 REACHED AGREEMENT ON TWO DRAFT EC COUNCIL REGULATIONS WHICH WOULD EXTEND UNTIL DECEMBER 31, 1974, THE SUSPENSION OF TARIFFS ON (A) AIRCRAFT AND (B) AIRCRAFT PRODUCTS (SEE REFTELS). THE TWO DRAFT REGULATIONS ARE LIKELY TO BE APPROVED ROUTINELY BY THE EC COUNCIL ("POINT A" ITEMS) LATER THIS MONTH. A COMPLETE COPY OF THE REGULATION ON PARTS WAS SENT TO THE DEPARTMENT UNDER TRANSMITTAL SLIP OF OCTOBER 31, 1973.

3. ALTHOUGH THE LIST OF TARIFF ITEMS IN THE ANNEXES TO THE DRAFT REGULATION ON PARTS REMAINS THE SAME AS REPORTED IN REFTEL B, CHANGES HAVE NOW BEEN MADE IN THE TYPES OF AIRCRAFT FOR WHICH PARTS AND MATERIAL MAY BE IMPORTED DUTY FREE. THE NOTE TO ANNEX II (PAGE 13 OF THE REGULATION FORWARDED TO THE DEPARTMENT) REGARDING PRODUCTS FOR THE MAINTENANCE OR REPAIR OF AIRCRAFT NOW READS QUOTE A) CATEGORY A COMPRISES AIRCRAFT OF AN UNLADEN WEIGHT EXCEEDING 15,000 KG -(1)- MANUFACTURED IN THE COMMUNITY AND OF TYPES CERTIFIED BEFORE JANUARY 1, 1973, OR VERSIONS OF THOSE TYPES WITH NO FUNDAMENTAL MODIFICATIONS AS COMPARED WITH THE FORMER. -(2)- MANUFACTURED IN THIRD COUNTRIES. B) CATEGORY B COMPRISES ALL OTHER AIRCRAFT OF AN UNLADEN WEIGHT EXCEEDING 15,000 KG UNQUOTE. IT WILL BE NOTED THAT THE EARLIER DRAFT HAD A JANUARY 1, 1974 DATE, WE DO NOT KNOW THE 1973 CERTIFIED EUROPEAN AIRCRAFT WHICH WILL NOW BE EXCLUDED FROM RECEIVING TARIFF SUSPENDED MATERIALS.

4. WE HAVE BEEN TOLD THAT AIRCRAFT FALLING UNDER CATEGORY A ARE:

BAC III VERSION 200, 300, 400, 500 AND 475
BOEING 727, 100 AND 200
BOEING 737, 100 AND 200
BOEING 747, 100 AND 200
DC9; 10 AND 30
DC 10, 10 AND 30
FOKKER VFW F 28, 1000 AND 2000
HAWKER-SIDLEY TRIDENT, IC, IE, 2E AND 3 B
CARAVEL 12, SUPER CARAVEL
ALL OTHER VERSIONS OF OLDER AIRCRAFT.
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5. THE WORDING OF THE FOOTNOTES FOR "BUYER SELECTED EQUIPMENT" FOUND ON PAGES 27, 28, 31 AND 32 IN ANNEX II TO THE REGULATIONS ON PARTS HAS BEEN MODIFIED. THE FOLLOWING PHRASE NOW COMES AFTER "1973" AND "EITHER BUILT WITHIN THE COMMUNITY OR IN USE AT THAT DATE BY COMPANIES WITHIN THE EEC ON REGULAR ROUTES".

6. OUR CONTACT TELLS US THAT THE ABOVE QUALIFIER (" IN USE AT THAT DATE BY COMPANIES") WAS COMPROMISE LANGUAGE TO SATISFY THE FRENCH DESIRE TO HAVE THE LOCKHEED TRISTAR PLACED IN THE B CATEGORY (UNFAVORABLE). THE TRISTAR WAS CERTIFIED AIRWORTHY BY THE UK IN JULY 1972 BUT IT WAS NOT CERTIFIED TO CARRY COMMERCIAL PASSENGERS UNTIL FEBRUARY 1973. OUR CONTACT TELLS US THAT CERTIFICATION TO CARRY PASSENGERS AND USE BY AIRLINES OCCURS AT APPROXIMATELY THE SAME TIME.

7. IN REFTEL B THE MISSION REPORTED ON THE EXTENSION UNTIL DECEMBER 31, 1974 OF THE DUTY SUSPENSION ON AIRCRAFT WEIGHING OVER 15 TONS. WE NOTED THEN THAT SOME OF THE MATERIALS IN THE ANNEX TO THE CURRENT REGULATION COVERING AIRCRAFT (OFFICIAL JOURNAL L291 OF 12/28/72, PAGE 38) WOULD BE ELIMINATED. WE NOW UNDERSTAND THEY ALL HAVE BEEN ELIMINATED EXCEPT 84.22.D, WHICH IS NOW FOUND IN ANNEX II OF THE REGULATION FORWARDED TO THE DEPARTMENT.

8. IN THE NEW REGULATION SUSPENDING FOR AN ADDITIONAL YEAR DUTIES ON THE AIRCRAFT ITSELF, THERE IS A FOOTNOTE WHICH SUSPENDS THE TARIFF ON ITEMS 88.03 (AIRCRAFT PARTS), EX 84.06 (MOTORS) AND EX 84.08 (PARTS FOR MOTORS) INTENDED FOR USE ON THE AIRCRAFT FOR WHICH THE TARIFF IS SUSPENDED. THIS INFORMATION WAS PROVIDED BY AN OFFICIAL AT THE EC COMMISSION. WE HAVE NOT YET SEEN A TEXT. GREENWLAD

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